

MINUTES

**MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION

Call to Order: By **CHAIRMAN KEITH BALES**, on March 17, 2003 at 3 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dale Mahlum, Vice Chairman (R)
Sen. Ken (Kim) Hansen (D)
Sen. Sam Kitzenberg (R)
Sen. Walter McNutt (R)
Sen. Linda Nelson (D)
Sen. Gerald Pease (D)
Sen. Corey Stapleton (R)
Sen. Mike Taylor (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jennifer Stephens, Committee Secretary
Doug Sternberg, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 420, HB 653, 2/24/2003
Executive Action: HB 420, HJ 17

HEARING ON HB 420

Sponsor: REP. BOB LAKE, HD 60, HAMILTON

Proponents: Barbara Broberg, Women Involved in Farm Economics,
(WIFE)
Ralph Peck, Director, MT Department of Agriculture
John Youngberg, MT Farm Bureau
Bob Stephens, MT Grain Growers
Pam Langley, MT Agri-Business Assn., MT Seed
Trade, MT Grain Elevator Assn.
Arleen Rice, MT Agri-Business Assn.

Opponents: None

Opening Statement by Sponsor:

REP. BOB LAKE, HD 60, HAMILTON, submitted written testimony,
EXHIBIT(ags56a01).

Proponents' Testimony:

Barbara Broberg, Women Involved in Farm Economics, (WIFE), stood
in favor of HB 420.

Ralph Peck, Director, MT Department of Agriculture, submitted
written testimony, **EXHIBIT**(ags56a02).

John Youngberg, MT Farm Bureau, said he has worked with the
disposal program since its inception. He encouraged the
committee's support.

Bob Stephens, MT Grain Growers, stood in support of HB 420.

Pam Langley, MT Agri-Business Assn., MT Seed Trade, MT Grain
Elevator Assn., emphasized that the program is beneficial to both
urban and rural communities in the state. She also explained why
the fees for the program are going down.

Arleen Rice, MT Agri-Business Assn., said she has helped with the
disposal program in Havre. She urged the committee to pass the
bill.

Questions from Committee Members and Responses: None

Closing by Sponsor:

REP. BOB LAKE, HD 60, HAMILTON closed on HB 420.

HEARING ON HB 653

Sponsor: REP. CAROL LAMBERT, HD 1, HAMMOND

Proponents: Ralph Peck, Director, MT Department of Agriculture
Bob Stephens, MT Grain Growers
Chris Christiaens, MT Farmer's Union
John Youngberg, MT Farm Bureau
Pam Langley, MT Agri-Business Assn., MT Seed
Trade, MT Grain Elevator Assn.
Barbara Broberg, Women Involved in Farm Economics,
(WIFE)

Opponents: None

Opening Statement by Sponsor:

REP. CAROL LAMBERT, HD 1, HAMMOND, submitted written testimony, **EXHIBIT**(ags56a03). She also passed out the amendments to the bill, **EXHIBIT**(ags56a04).

Proponents' Testimony:

Ralph Peck, Director, MT Department of Agriculture, supported the bill as amended.

Bob Stephens, MT Grain Growers, provided written testimony, **EXHIBIT**(ags56a05).

Chris Christiaens, MT Farmer's Union, stood in support of HB 653.

John Youngberg, MT Farm Bureau, said he is working on a task force to help save the state grain lab. He thinks posting the prices at grain elevators will help the lab retain business.

Pam Langley, MT Agri-Business Assn., MT Seed Trade, MT Grain Elevator Assn., submitted written testimony, **EXHIBIT**(ags56a06). She also presented some alternative amendments, **EXHIBIT**(ags56a07).

Barbara Broberg, Women Involved in Farm Economics, (WIFE), supported HB 653.

Questions from Committee Members and Responses:

SEN. COREY STAPLETON asked **Mr. Peck** who runs the state grain lab. **Mr. Peck** said the MT Department of Agriculture runs the state grain lab under federal supervision. He mentioned the lab follows the federal grain service's rules and regulations. **Mr. Peck** added that the federal government also helps set the fees. He also eluded to the fact that the state grain laboratory has struggled to make enough money. He explained that when there are good grain crops, many farmers don't use the labs for analysis; conversely, when the grain is of poor quality, farmers want to have it tested. He also noted that there are two grain labs in Montana: the state lab and a private lab. **SEN. STAPLETON** asked how long it takes to get results back from the lab. **Mr. Peck** said at the state lab, it depends on work volume and how many inspectors are at the lab. He said in most cases, the results are back within 24 hours. However, during harvest season when the lab is more busy, it can take up to a week to get results back. **SEN. STAPLETON** asked **Mr. Peck** if it is mandatory for the state to have a grain lab. **Mr. Peck** said that Montana state law mandates that the Montana Department of Agriculture shall provide federal grain inspection services. If the state were to choose not to provide for grain inspections, then a private entity could receive the designation of being a federal grain lab.

SEN. LINDA NELSON asked **Mr. Peck** if the state grain lab results are binding. **Mr. Peck** said yes, under state law the state lab results are final and binding. He also mentioned that there is an appeal process under the federal government if a person wanted to contend lab results.

Closing by Sponsor:

REP. CAROL LAMBERT, HD 1, HAMMOND, reviewed HB 653 and closed.

EXECUTIVE ACTION ON HB 420

Motion/Vote: **SEN. NELSON** moved that HB 420 BE CONCURRED IN. Motion carried unanimously. **SEN. PEASE** voted aye by proxy.

EXECUTIVE ACTION ON HJ 17

Motion: **SEN. TAYLOR** moved that HJ 17 BE CONCURRED IN.

Discussion:

SEN. MIKE TAYLOR asked that the resolution be amended.

Doug Sternberg explained that **Rep. Peterson** had come to him with an amendment to the resolution. **Mr. Sternberg** distributed the amendment, **EXHIBIT (ags56a08)**.

SEN. KEITH BALES added that the amendments that were passed out during the hearing we're not explained very well and seemed to drastically change the original wording of the bill. He said that **REP. PETERSON's** amendments were considerate of the amendments proposed at the hearing and preserved the original intent of the resolution.

Motion/Vote: **SEN. BALES** moved that HJ 17 BE AMENDED. Motion carried unanimously. **SEN. PEASE** voted aye by proxy.

Motion: **SEN. TAYLOR** moved that HJ 17 BE CONCURRED IN AS AMENDED.

Discussion:

SEN. STAPLETON said he would not be voting in favor of the resolution. He announced that the timing of the bill is horrendous. With the country so close to war, he sees no point in burdening our commander in chief with the insistence that the state of Montana be able to trade bilaterally. He said that when the committee tries to pass resolutions such as HJ 17, it makes him realize how small an impact the legislature is able to make, especially in comparison to what else is going on in the rest of the country. **SEN. STAPLETON** said he understands that those involved in Montana agriculture just want to be able to trade with other countries, but he finds the timing to be very poor.

SEN. BALES said he agrees that the nation is at a time of great uncertainty, but also asserted there is a lot of uncertainty in the agriculture industry as well. He thinks it should not be ignored that the Montana trade industry has not been given the opportunity to open up its market. He thinks that despite the war, the committee needs to keep in mind that the agriculture industry in the US is imperative for the nation to remain strong. In order to insure that, **SEN. BALES** thinks we need to make sure that trade is fair.

SEN. MIKE TAYLOR added that given the lack of international support with the pending war, we could use HJ 17 to help balance trade.

Motion/Vote: SEN. BALES moved that HJ 17 BE CONCURRED IN AS AMENDED. Motion carried 9-1 with STAPLETON voting no. SEN. PEASE voted aye by proxy.

ADJOURNMENT

Adjournment: 4 P.M.

SEN. KEITH BALES, Chairman

JENNIFER STEPHENS, Secretary

KB/JS

EXHIBIT (ags56aad)